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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,375	09/23/2003	Dae Jin Lim	3449-0273P	9203

2292 7590 07/14/2006

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EXAMINER

DESIR, JEAN WICEL

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 07/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/667,375

Applicant(s)

LIM ET AL.

Examiner

Jean W. Désir

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/23/03, Pre-Amendment.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al (US 6,766,528) in view of Widmer et al (US 6,169, 569).

Claim 1:

Kim discloses:

“displaying AV broadcast signal and data broadcast signal based on one broadcasting standard”, see Fig. 2 items 106, 107, col. 1 lines 7-9, col. 2 lines 51-53;

“tuning data broadcast signal based on another broadcasting standard in response to a request for a modification of the data broadcast signal being displayed”, see col. 3 line 67 to col. 4 line 5, col. 6 lines 13-16;

“and displaying the tuned data broadcast signal based on the another broadcasting standard”, col. 4 lines 4-5, col. 6 lines 26-28;

the difference between the claimed invention and the Kim’s disclosure is that Kim does not explicitly say “based on another broadcasting standard”. However, as pointed out above, Kim discloses a modem 204 that can be coupled to another network, in response to a request, for more information than the information on the program being

Art. Unit: 2622

displayed; and Widmer discloses a modem 10, coupled to a network, that includes a tuner 12 to tune to broadcast signal based on broadcasting standard, such as cable broadcasting (see Widmer at Fig. 1, col. 3 lines 2-13); thus, in view of these teachings, an artisan would be motivated to modify Kim's disclosure to include the Widmer's teaching to arrive at the claimed invention; this modification would advantageously provide to the users more information based on another broadcasting standard than the information on the program being displayed. Therefore, the claimed invention would have been obvious to a person of ordinary skill in the art at the time the invention was made.

Claim 2 is disclosed, see Kim at Fig. 2 item 103.

Claim 3 is disclosed, see Widmer at Fig. 1 which is modem that include a tuner.

Claim 4 is also disclosed, Kim teaches simultaneously displayed as claimed, see Kim at col. 4 lines 4-5, col. 6 lines 26-28.

Claim 5 is rejected for the same reasons as claim 1.

Claims 6-8 are rejected for the same reasons as claims 2-4.

Claim 9 is rejected for the same reasons as claim 1, because the combination teaches a plurality of tuning means as claimed.

Claims 10-12 are disclosed, because the above combination teaches AV broadcast signal and data broadcast signal as claimed.

Claim 13 is disclosed, see Kim at see col. 3 line 67 to col. 4 line 5, col. 6 lines 13-16.

Claim 14 is rejected for the same reasons as claim 4.

Claim 15 is rejected for the same reasons as claim 9.

Art Unit: 2622

Claims 16-19 are rejected for the same reasons as claims 10-13.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean W. Désir whose telephone number is (571) 272 7344. The examiner can normally be reached on 5/4/9 - First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272 7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JWD
Jul. 10, 06



LIN YE
PRIMARY EXAMINER